

PATENT

Attorney Docket No. 12636-330

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Joseph Rubinfeld)	
)	Art Unit: Unassigned
Application No.: Unassigned)	
)	Examiner: Unassigned
Filed: Herewith)	
)	
Title: Restore Cancer-Suppressing Functions to)	
Neoplastic Cells Through DNA)	
Hypomethylation)	
)	

Mail Stop Patent Application
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, can be found in priority application no.: 09/790,483, filed, February 21, 2001. Additional references have also been attached herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

C.F.R. 1.98(d):

A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the office in a prior application, provided that the prior application is properly identified and relied upon for an earlier filing date under 35 U.S. C. 120.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

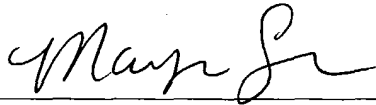
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.12636-330).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 7/3/03

By: 
Maya Skubatch, Reg. No. 52,505

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				Application No.	Unassigned
				Filing Date	Herewith
				First Named Inventor	Joseph Rubinfeld
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	Of	2	Attorney Docket No.	12636-330

U.S. PATENT DOCUMENTS					
Examiner's Initials	Cite No. ¹	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
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FOREIGN PATENT DOCUMENTS						
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1 Applicant's unique citation designation number (optional) 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant's to place a check mark here if English language Translation is attached.



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				Examiner Name	Unassigned
Sheet	2	Of	2	Attorney Docket No.	12636-330

OTHER PRIOR ART – NON PATENT RELATED DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T ²
		ANZAI, et al., Synergistic Cytotoxicity with 2'-Deoxy-5-Azacytidine and Topotecan in Vitro and in Vivo, <i>Cancer Res.</i> (1992) Vol. 52, No. 8; Abstract.	
		COLOMBO et al., Antagonism of 5-aza-2'-Deoxycytidine Antileukemic Activity by Concomitant Treatment with Cytarabine, <i>Cancer Treatment Rep.</i> (1986) Vol. 70, No. 12; Abstract.	
		DORE, et al., Effects of 5-Aza-2'-Deoxycytidine and Interferon-Alpha on Differentiation and Oncogene Expression in HL-60 myeloid Leukemic Cells, <i>Anticancer Drugs</i> , (1992) Vol. 3, No. 3; Abstract.	
		KRITZ, et al.; Pilot Study of 5-Azacytidine (5-AZA) and Carboplatin (CBDCA) in Patients with Relapsed/Refractory Leukemia, <i>Am. J. Hematol</i> (1996a) Vol. 5, No. 2; Abstract.	
		LENZI, et al., <i>International Jnl. Oncology</i> (1995) Vol. 6 (2), pages 447-450.	
		MOMPARLER, et al., Effect of 5-aza-2'-Deoxycytidine and Retinoic Acid on Differentiation and C-Myc Expression in HL-60 Myeloid Leukemic Cells, <i>Cancer Lett.</i> (1990) Vol. 54, No. 1-2; Abstract.	
		PLUMB, et al., <i>Cancer Research</i> , (2000) Vol. 60 (1), pages 6039-6044..	
		SCHWARTSMANN, et al., <i>Investigational New Drugs</i> (2000) Vol. 18 (1), pages 83-91.	
		SCHWARTSMANN, et al.; Decitabine (5-Aza-2'-Deoxycytidine; DAC) Plus Daunorubicin as a First Line Treatment in Patients with Acute Myeloid Leukemia: Preliminary Observations, <i>Leukemia</i> , (1997) Vol. 11, Suppl. 1; Abstract.	
		WILLEMZE, et al., A Randomized Phase II Study on the Effects of 5-Aza-2'-Deoxycytidine Combined with Either Amsacrine or Idarubicin in Patients with Relapsed Acute Leukemia; an EORTC Leukemia Cooperative Group Phase II Study; <i>Leukemia</i> (1997) Vol. 11, Suppl. 1; Abstract.	
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